

HUMAN SERVICES BOARD

INTRODUCTION

FINDINGS OF FACT

2. At the fair hearing (held on March 24, 2008) the petitioner did not dispute the Department's determination that he received \$2,758.75 in monthly earned income in

January 2008, and that this amount exceeds the maximums for both VHAP and CHAP.

3. Petitioner was advised to reapply if his income falls below the monthly program maximum of either program.

ORDER

The Department's decision is affirmed.

REASONS

The VHAP and CHAP programs were created to extend health insurance to low and middle income Vermonters. To be eligible, applicants need to meet the income guidelines for these programs. Countable income includes all gross earned income. Each household member who earns income is entitled to a monthly \$90 employment disregard. W.A.M. § 4001.81(e). When income changes are expected to occur, the Department is to base its calculations on current wage information. W.A.M. § 4001.81.

Petitioner completed a review for continuing VHAP eligibility in February 2008. Based upon the income information petitioner supplied, the petitioner's monthly countable income for January was in excess of the monthly program standards for VHAP (\$1,307) and CHAP (\$2,613). See P-2420(B). Petitioner can always reapply if his countable

income falls below either program's maximum. However, inasmuch as the Department's decision was in accord with the pertinent regulations it must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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